

REMARKS/ARGUMENTS

In the Office Action mailed February 1, 2006, the Examiner (i) objected to informalities in paragraphs [0013] and [0026] of the specification; (ii) objected to an informality in claim 7; (iii) rejected claims 1-3, 8, 9 and 11-13 under 35 U.S.C. § 103(a) as being unpatentable over Gustafson et al. (US 5,807,095) in view of Gallo (US 4,066,098); rejected claim 10 under 35 U.S.C. § 103(a) as being unpatentable over Gustafson in view of Gallo and further in view of Cates (US 4,666,471). In response, Applicants have amended paragraphs [0013] and [0026] and have amended claims 1, 4 and 7. In addition, Applicants have corrected typographical errors in paragraph [0014] and added new claims 14 and 15, which do not add new matter. For the reasons which follow, Applicants respectfully request reconsideration and allowance of all claims.

I. Amendments to the Specification

Applicants have made the following corrections of clerical errors.

In paragraph [0013], line 5, "is" is amended to "its."

In paragraph [0014], at line 5, "preferable" is corrected to "preferably," and at line 7, "therefore," is corrected to "thereof."

In paragraph [0026], line 10, "convention" is corrected to "conventional."

II. Informality in Claim 7

Claim 7 has been corrected as required by the Examiner by changing "horizontally" in line 4 to "horizontal."

III. Claim Rejections - 35 U.S.C. § 103(a)

The Examiner rejected claims 1-3, 8, 9 and 11-13 as obvious based upon the combined teachings of Gustafson et al. and Gallo. Applicants have amended claim 1, which is the only independent claim in this group, and submit that the amended claims clearly distinguish over these references.

Gallo teaches a triple swivel assembly of a loading arm that is used to permit liquid cargo to be loaded onto a ship. Specifically, the loading arm with the triple swivel assembly conveys liquid from the shore to the cargo manifold piping 30 onboard the ship while the ship is in its berth (column 4, lines 22-29). The three swivels are used to permit the loading arm to freely follow the motion of the ship on the water while it is berthed (column 4, lines 33-40). The swivels contain ball raceways and ball bearings to permit rotation and carrying of loads (column 4, lines 40-43). In effect, the triple swivel assembly of Gallo is structured to permit liquid cargo to be delivered to the ship while the ship is moving in its berth.

In contrast, the inlet conduit of Applicants' flare tank apparatus connects a *stationary* degasser to a *stationary* flare line and, once so connected, the components of the inlet conduit do not swivel: the conduit is fixed in position. Given the high pressures in the inlet conduit and the presence of oilfield workers, it would be undesirable as well as unnecessary for a portion of the inlet conduit to move about as fluid passes through it. Rather, swivelling of components of the inlet conduit is done only when the flare line is detached, and in particular, in preparing the flare tank apparatus for transport. To clarify this distinction between the inlet conduit of Applicants' apparatus and the triple swivel assembly of Gallo, claim 1 has been amended to specify that the connectors are capable of being tightened to prevent swivelling of the components of the conduit and secure the inlet conduit in a fixed position. This feature is described in the specification at paragraph [0015], lines 8-15 and paragraph [0022], lines 6-7. The cited references do not make such a structure obvious. Gallo's triple swivel assembly is designed for a use that is not analogous to that of Applicants', namely, Gallo is providing a conduit to a vessel that is in movement and the swivels are structured to accommodate the assembly to that movement while still delivering liquid cargo to the ship. In Applicants' flare tank apparatus, the degasser is stationary when in use and the swivels must be capable of being tightened so that the conduit is secure and fixed in position during use, and also capable of being loosened so the inlet conduit can be positioned adjacent to the holding tank for transport. Gallo does not suggest that the swivels could or would be tightened into a fixed position, and in fact such tightening would be undesirable and serve no useful purpose because the ship, unlike Applicants' flare tank apparatus, remains in movement during use of the triple swivel assembly.

Accordingly, a combination of Gustafson et al. and Gallo does not render obvious the combination of features specified in amended claim 1. Claims 2, 3, 8, 9 and 11-13 depend from claim 1 and include its limitations. For at least that reason, such dependent claims also

distinguish over the cited references. Applicants respectfully request withdrawal of the rejection under Section 103(a).

New claims 14 and 15, also depending from claim 1, have been added. The features included therein are described in the specification, for example the features of claim 14 are shown in paragraph [0025] and those of claim 15 in paragraphs [0015] and [0022].

IV. Allowable Subject Matter

The Examiner objected to claims 4-7 as being dependent upon a rejected base claim and stated that they would be allowable if rewritten in independent form including all the limitations of the base claim and intervening claims. In response, claim 4 has been rewritten in independent form to include all the limitations of former claim 1. Claims 5-7 each depend directly or indirectly from independent claim 4. It is submitted that claims 4-7 are therefore allowable.

V. Conclusion

Applicants respectfully request reconsideration and allowance of all pending claims. If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

Respectfully submitted,

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